

## **LNA Scope of Practice: Understanding the Nurse Practice Act**

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1 Contact Hour

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### **Objectives:**

- Define Scope of Practice
- Identify where one could find the Scope of Practice of an LNA
- Define Competence to Practice
- Identify activities/interventions that are within the LNA Scope of Practice
- Identify activities/interventions that are not within the LNA Scope of Practice
- Identify the five Rights of Delegation

Always keep in mind that you are responsible for knowing your Board of Nursing rules and the policies of your workplace. The tasks that you perform under your nursing license must also be in compliance with the Nurse Practice Act and the Administrative Rules, as well as the policies of your workplace. Your work place may limit you from performing tasks that are allowed by the Board of Nursing, but your workplace cannot require you to do more than the Board of Nursing allows.

When a task is allowed via additional training under Nur 404.12, keep in mind that tasks allowed with the additional training described in these rules must be documented with a written plan for maintaining competence and that the plan must be updated at least annually.

### **What is the Definition of “Scope of Practice”?**

“Scope of Practice” is a terminology used by state licensing boards for various professions that defines the procedures, actions, and processes that are permitted for the licensed individual. The scope of practice is limited to that which the law allows for specific education and experience, and specific demonstrated competency. Each state has laws, licensing bodies, and regulations that describe requirements for education and training, and define scope of practice.

Health care professions with defined scope of practice laws and regulations include dietitians, nursing, midwifery, emergency medical services, pharmacists, social workers, physicians and surgeons, dentists and dental hygienists, chiropractors, occupational therapists, physical therapists, speech language pathologist, audiologist and athletic training.

Governing, licensing, and law enforcement bodies are generally at the state level.

### **Where in the Nurse Practice Act can I find the LNA Scope of Practice?**

The LNA Scope of practice can be found in Section 326-B:14 and states:

- I. An LNA shall, with or without compensation or personal profit, practice under the supervision of a RN, ARNP, or LPN.
- II. An LNA is responsible for competency in the nursing assistant curriculum approved by the board. LNA’s are authorized to administer medication when they hold a currently valued certificate of medication administration and under circumstances established by the board through rules adopted pursuant R541-A.
- III. The following successful completion of the curriculum, a nursing assistant shall be able to:

- (a) Form a relationship, communicate, and interact effectively with individuals and groups.
  - (b) Demonstrate comprehension related to individuals' emotional, mental, physical and social health needs through skillful, direct nursing related activities.
  - (c) Assist individuals to attain and maintain functional independence in a home or health care facility.
  - (d) Exhibit behaviors supporting and promoting care recipients' rights.
  - (e) Demonstrate observational and documenting skills required for reporting of people's health, safety, welfare, physical and mental condition, and general well being.
  - (f) Provide safe nursing-related activities under the supervision of a RN or LPN.
- IV. LNA's may perform tasks not addressed in the basic curriculum required for licensure if they obtain additional training in the performance of such tasks through programs approved by the board. Additional tasks may be delegated provided:
- (a) The task has been properly delegated to the nursing assistant by the supervising licensed nurse pursuant to RSA 326-B:28.
  - (b) The task has not been made exempt from nursing assistant practice.
  - (c) The policies of the employing health care facility allow the delegation of the task to an LNA.

### **What is the Scope of Practice of LNA's providing client care in the State of NH?**

A nursing assistant is responsible for knowledge listed in the approved curriculum for nursing assistants found in Nur 704.09. In addition, nursing assistants can be educated to perform functions over and above the basic curriculum of the nursing assistant education program and these functions can be delegated when:

- The task has been properly delegated to the nursing assistant by the supervising licensed nurse.
- Additional training and competency is obtained when needed as required under Nur 404.12 regulation.
- The task has not been made exempt from nursing assistant practice by a prior Board of Nursing ruling and as described in the Administrative Rules; and
- The facility policy and procedure allows this function.

### **What does the Administrative Rule Nur 404.12 say?**

Nur 404.12 Competence to Practice. All licensees shall, through education and experience, maintain the ability to practice nursing or nursing related activities competently.

### **How would one determine if a particular task/intervention is within ones Scope of Practice?**

Health care is constantly changing, and thus the practice of nurses and nursing assistants is also changing. It would be impossible to develop a complete list of procedures and interventions that are included in the scope of practice of nurses and nursing assistants.

Changes in health care have produced some new and expended roles for nursing assistants, such as the restorative nursing assistant, subacute care aide, patient care technician, hospice aide, psychiatric aide, activity aide and medication nursing assistant. These roles are usually available to LNA's who have a work

history and who are interested in a specific type of health care. Additional education and training are required for most of these expanded roles.

There are several ways that may be used to decide if a particular task is within your scope of practice.

First, if the intervention was taught during your initial education program, it is most likely within your scope of practice.

If the intervention was not taught to you during your initial education, check the *Frequently Asked Questions* on the NH Board of Nursing website: [www.nh.gov/nursing](http://www.nh.gov/nursing).

If you have a clinical practice question that is not answered in the *Frequently Asked Questions* and that you would like to ask the Board, please complete the **Clinical Practice Inquiry Form** and forward it to the Board office.

### **What activities are found to be within the Scope of Practice of an LNA?**

Questions have come to the Board for Board approval regarding the proper delegation of activities to a nursing assistant licensed in the State of NH.

Health care is constantly changing, and thus the practice of nurses and nursing assistants is also changing. It would be impossible to develop a list of procedures and interventions that are included in the scope of practice of nurses and nursing assistants.

The Board has approved the following activities as within Licensed Nursing Assistant scope of practice as long as the nursing assistant has met the Nur 404.12 requirements:

Straight urinary catheters, foley irrigations, bladder scan or Doppler, application of TENS unit, feeding tubes, routine stable wound care, medicated lotions, ointments and creams related to wound care (not nitropaste), vagus nerve stimulation, test stool for occult blood, colostomy irrigation, administer fleets enema, pulse oximetry, incentive spirometry, oral suctioning of mouth and nares only, assist with oxygen therapy, chest physiotherapy, change the collar that holds a tracheostomy tube in place as delegated by the nurse, peripheral vein IV removal, blood glucose monitor, finger stick PT/INR testing, phlebotomy with competencies, EKG's with competencies, reminding clients to take their medications, transcribing medical orders.

LNA's educated and certified by a board approved program may assist, observe, and document medications taken by a client residing in a residential care setting or in their home as delegated by the licensed nurse and supported by facility/agency policy and procedures.

### **What activities are NOT found to be within the Scope of Practice of an LNA?**

The Board has opined that it is not within the scope of practice for a Licensed Nursing Assistant to engage in the following activities:

Cannot insert G tubes or any feeding tubes;  
Insertion of intravenous catheters;  
Calling in prescribing practitioner orders to the Pharmacy;  
Insertion of indwelling urinary catheter;  
Administration of Nystatin mouthwash;  
To pull femoral/venous arterial sheath post cardiac catheterization;  
Co-sign narcotic order;

LNA scrub for C-Section (4/08)(6/08)  
LNA suture removal (5/08);  
Administer non-ablative laser treatment (12/06); and  
Administer Botox (12/06).

**(This list should not be considered all inclusive)**

### **What are the guidelines used in implementing nursing interventions and nursing related activities in addition to those taught during the initial educational process?**

Nursing interventions and nursing related activities, in addition to those interventions taught during the initial educational process, shall be implemented using the following guidelines:

1. Describe the educational preparation and practice history of the nurses and nursing assistants authorized to perform the intervention(s) or activity(s).
2. Define the intervention(s) or activity(s) and the procedures for implementing the intervention(s) or activities(s).
3. Include a written plan for attaining and maintaining competency of the licensee
4. Identify the names of those nurses and nursing assistants authorized to perform the intervention(s) or activity(s).
5. Be reviewed and updated as needed, but at least yearly.

### **Understanding the Five Rights of Delegation: Questions to ask oneself.**

You are responsible for recognizing which tasks are within your scope of practice. The Five Rights of Delegation can be used to help one determine whether to accept or decline a delegated task/intervention.

The Right Task:

- Does the State allow me to perform this task?
- Have I been trained to do this task?
- Do I have experience performing this task?
- Is this task in my job description?

The Right Circumstance:

- Can I perform this task safely, given the patient's condition?

The Right Person:

- Am I confident that I can perform this task safely?
- Do I have any reservations about performing this task?

The Right Direction:

- Did the nurse give me clear instructions?
- Do I understand what the nurse expects?

The Right Supervision:

- Will the nurse be available to supervise and answer questions?

You should not perform any task/intervention that is not listed in your job description. Make sure you are familiar with your employer's policies and with your duties and obligations as listed in your job description. Be aware of your scope of practice within your state.

When you agree to perform a task/intervention, you accept responsibility for your actions.

Performing nursing related activities unsafely, inadequately, neglectfully or beyond the scope of practice can result in disciplinary action being taken by the Board against the licensed nursing assistant.

#### References:

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1. New Hampshire Board of Nursing. Frequently Asked Questions-Practice. [http://www.nh.gov/nursing/practice/practice\\_faq.html](http://www.nh.gov/nursing/practice/practice_faq.html)
2. New Hampshire Board of Nursing. Nurse Practice Act. <http://www.nh.gov/nursing/rules/Nur100-800.htm>
3. Wikipedia. Scope of Practice - Wikipedia, the free encyclopedia. [http://en.wikipedia.org/wiki/Scope\\_of\\_practice](http://en.wikipedia.org/wiki/Scope_of_practice)
4. Grubbs, P. Essentials for Today's Nursing Assistant. Prentice Hall, 2003.
5. Carter, P. Lippincott's Essentials for Nursing Assistants, A Humanistic Approach to Caregiving. Wolters Kluwer/ Lippincott William & Wilkins 2007.

## **Post Test**

1. Define "Scope of Practice".
  
2. Where in the Nurse Practice Act can you find the Scope of Practice of an LNA?
  
3. List six (6) tasks/interventions that are within the Scope of Practice of an LNA.
  - 1.
  - 2.
  - 3.
  - 4.
  - 5.
  - 6.
  
4. List Three (3) task/interventions that are not within the Scope of Practice of an LNA.
  - 1.
  - 2.
  - 3.
  
5. List the five (5) Rights of Delegation.
  - 1.
  - 2.
  - 3.
  - 4.
  - 5.

***Select the best answer.***

6. As a nursing assistant, it is your responsible to:
- a. Plan the patient's care
  - b. Perform the tasks your supervisor assigns you
  - c. Do the best you can without asking for help
  - d. Compare assignments with your co-worker
7. If you do not know how to do an assigned task, you should:
- a. Call another nursing assistant to help you
  - b. Ask the patient how he or she prefers to have it done
  - c. Decline to do the task
  - d. Follow the instructions in the procedure manual

***True or False***

8. T F "Scope of Practice" refers to the tasks that a nursing assistant is permitted to do.
9. T F By delegating a task, a nurse gives the nursing assistant permission to perform the task on his or her behalf.
10. T F Each member of a nursing team carries out the same assigned task for all patients.